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E.O. 12958: DECL: 02/24/2019  
TAGS: IZ KJUS PGOV PHUM PINS  
SUBJECT: INVITATION TO IRAQI DELEGATION TO ADDRESS U.S.  
VICTIMS CLAIMS

REF: STATE 8721

Classified By: NEA A/AS Jeffrey Feltman for reasons 1.4 b and d

¶1. (U) This is an action request. Please see paragraphs 2 and 3.

¶2. (S) Embassy Baghdad delivered a demarche (reftel State 8721) on February 3 to the Government of Iraq (GOI) which urged action on the part of the GOI to address outstanding claims against it, including particularly claims of American victims of the Saddam-era. Embassy Baghdad stressed that the time is now right for Iraq to address these outstanding claims and that State Department officials are prepared to meet with appropriate GOI officials to consult on possible options and elements for a resolution of the claims at the GOI's earliest convenience. Iraqi officials agreed, asking that an official invitation be issued. Embassy Baghdad is directed to present the invitation below to Dr. Fadel Jawad Kadhum, Legal Advisor to the Prime Minister.

¶3. (C) Embassy Baghdad may draw from the following text in issuing an invitation from State Department Acting Legal Adviser, Joan Donoghue, to Dr. Fadel:

(Begin Text)

Following up on fruitful discussions we had with you and others from your government last year in Baghdad and in Washington, I want to invite you to enter into discussions between our governments on resolving the claims against Iraq brought by U.S. victims of the Saddam Hussein regime. The office of the State Department Legal Adviser has lead responsibility for the U.S. Government in addressing claims by U.S. nationals against foreign governments, including these claims against Iraq.

My understanding is that the Government of Iraq is considering the possibility of a government-to-government resolution of all existing and prospective claims of U.S. victims of the Saddam Hussein regime in order to put this difficult issue behind it. Toward that end, we are prepared to begin discussions with the Government of Iraq on options that can achieve Iraq's goal of finding legal peace from these claims, on a government-to-government basis, and provide suitable compensation to victims, in a manner acceptable to both governments.

The office of the State Department Legal Adviser and the Bureau of Near Eastern Affairs would be honored to host discussions here in Washington, DC, with you and any other members of the Government of Iraq's delegation. We would suggest the week of March 9, 2009.

I would appreciate your response to this letter at your earliest convenience, and look forward to speaking with you again soon.

(End Text)

**¶4.** (U) Points of contact for questions or concerns about this matter are Elisa Catalano, NEA/I, catalanoe(at)state.gov, 1-202-647-5715 or Mary Mitchell, L/AN, mitchellmt(at)state.gov, 1-202-647-2007.

CLINTON